

MAY-25-2006 THU 12:28 PM WORKMAN NYDEGGER

FAX NO. 8013281707

P. 01

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A PROFESSIONAL CORPORATION
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To: MISSING PARTS -- UNITED STATES PATENT AND TRADEMARK OFFICE

Fax No.: (571) 273-8300

No. of Pages: 21 (incl. this page)

From: Michael M. Ballard

Date: May 25, 2006

File No./Subject: **SECOND SUBMISSION OF RESPONSE TO NOTIFICATION OF
MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED
STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**
United States Patent Application
Applicant(s): Combe, et al.
Serial No.: 10/540,788
Filed: June 27, 2005
Title: SINGLE PIECE OPTICAL MECHANICAL ASSEMBLY FOR OPTICAL
DATA STORAGE ENGINES
Our File: 15584.11

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			No answer	

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VIA FACSIMILE (571) 273-8300

PATENT APPLICATION
Docket No. 15584.11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Combe, et al.

Serial No.:

10/540,788

Filed:

June 27, 2005

Confirmation No.:

Not yet known

For:

SINGLE PIECE OPTICAL MECHANICAL ASSEMBLY
FOR OPTICAL DATA STORAGE ENGINES

Examiner:

Unassigned

Art Unit
3764SECOND SUBMISSION OF RESPONSE TO NOTIFICATION OF MISSING
REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED
STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

VIA FACSIMILE

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

In response to the telephonic instructions received from Ms. Burt in the Office of PCT Operations on May 10, 2006, please find transmitted herewith the Response to Notification of Missing Requirements Under 35 U.S.C. in the United States Designated/Elected Office (DO/EO/US), which was originally transmitted via facsimile to (571) 273-8300 on March 3, 2006.

Dated this 25 day of May, 2006.

Respectfully submitted,



Michael M. Ballard

Attorney for Applicants

Registration No. 54,978

Customer No. 022913

Telephone No. (801) 533-9800

MMB/ALC

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Page 1 of 2

MAY 25 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22101-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/540,788	Tony Combe	15584.11

INTERNATIONAL APPLICATION NO.

PCT/GB03/05722

I.A. FILING DATE	PRIORITY DATE
12/24/2003	01/09/2003

22913

WORKMAN NYDEGGER
(F/K/A WORKMAN NYDEGGER & SEELEY)
60 EAST SOUTH TEMPLE
1000 EAGLE GATE TOWER
SALT LAKE CITY, UT 84111

CONFIRMATION NO. 7171

371 FORMALITIES LETTER

OC000000018601697

Date Mailed: 04/24/2006

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 06/27/2005
- Copy of the International Search Report filed on 06/27/2005
- Preliminary Amendments filed on 06/27/2005
- Oath or Declaration filed on 03/03/2006
- U.S. Basic National Fees filed on 06/27/2005
- Priority Documents filed on 06/27/2005

DOCKETED
Atty. DA File # 540788
By DA On 5/2/06
Action MISSING REQUIREMENTS
Response Due 5/2/06

Applicant's response filed 03/03/2006 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 03/28/2006 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - The first page of the declaration is missing.

Applicant is required to complete the response within a time limit of **ONE MONTH** from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/540,788	PCT/GB03/05722	15584.11

FORM PC1/10/EO/916 (371 Form) (Notice)

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1449
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/540,788	FIRST NAMED APPLICANT Tony Combe	ATTY. DOCKET NO. 15584.11
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22913
WORKMAN NYDEGGER
(F/K/A WORKMAN NYDEGGER & SEELEY)
60 EAST SOUTH TEMPLE
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SALT LAKE CITY, UT 84111

INTERNATIONAL APPLICATION NO. PCT/GB03/05722	
LA. FILING DATE 12/24/2003	PRIORITY DATE 01/09/2003

CONFIRMATION NO. 7171
371 FORMALITIES LETTER

OC000000017635204

Date Mailed: 12/15/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/27/2005
- Copy of the International Search Report filed on 06/27/2005
- Preliminary Amendments filed on 06/27/2005
- U.S. Basic National Fees filed on 06/27/2005
- Priority Documents filed on 06/27/2005

MISSING
9/21 2/25/06
12/20/05

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371.

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/540,788	PCT/GB03/05722	15584.11

FORM PCT/DO/EO/905 (3/1 Formalities Notice)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22311-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/540,788	Tony Combe	15584.11

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WORKMAN NYDEGGER
(F/K/A WORKMAN NYDEGGER & SEELEY)
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1000 EAGLE GATE TOWER
SALT LAKE CITY, UT 84111

INTERNATIONAL APPLICATION NO.

PCT/GB03/05722

1A. FILING DATE	PRIORITY DATE
12/24/2003	01/09/2003

CONFIRMATION NO. 7171

371 FORMALITIES LETTER

110 0000000017635204

Date Mailed: 03/28/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/27/2005
- Copy of the International Search Report filed on 06/27/2005
- Preliminary Amendments filed on 06/27/2005
- U.S. Basic National Fees filed on 06/27/2005
- Priority Documents filed on 06/27/2005

DOCKETED
Atty. Del File # 33311
By 21m On 3/28/06
Action MES Yea
Response Due 4/28/06

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

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ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/540,788	PCT/GB03/05722	15584.11

FORM PCT/DO/EO/905 (371 Formalities Notice)

MAY 25 2006

PATENT APPLICATION
Docket No: 15584.11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Combe, et al.

Serial No.:

10/540,788

Filed:

June 27, 2005

Confirmation No.:

Not yet known

For:

SINGLE PIECE OPTICAL MECHANICAL ASSEMBLY
FOR OPTICAL DATA STORAGE ENGINES

Examiner:

Unassigned

Art Unit
3764Mail Stop: MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN
THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Sir:

In response to the Notification of Missing Requirements mailed December 15, 2005, please find enclosed herewith the following items for filing in the United States Patent and Trademark Office in connection with the above-identified patent application:

- ☒ A Declaration, Power of Attorney, and Petition executed by the inventors Tony D. Combe and David Shepherd.
- ☒ A copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)
- ☒ A Certificate of Deposit under 37 C.F.R. § 1.6.
- ☒ Credit Card Payment Form PTO-2038 in the amount of \$125.00 is enclosed to cover:
 - The _____ government filing fee.
 - ☒ The \$65.00 surcharge fee pursuant to 37 C.F.R. § 1.16(e).
 - ☒ The \$60.00 One-Month Extension of Time.

10/540,788

Page 2

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or to credit any overpayment to Deposit Account No. 23-3178.

☒ Any additional filing fees required under 37 C.F.R. § 1.16.

☒ Any patent application processing fees under 37 C.F.R. § 1.17.

The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-3178.

☒ Any filing fees under 37 C.F.R. § 1.16 for presentation of extra claims.

☒ Any patent application processing fees under 37 C.F.R. § 1.17.

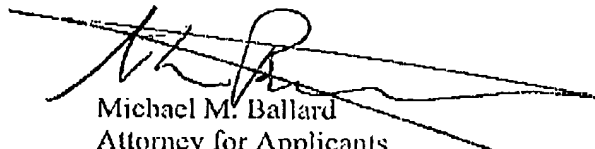
☐ The issue fee set in 37 C.F.R. § 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

☒ A duplicate copy of this letter is enclosed.

Please address all future correspondence in connection with this case to the attention of the undersigned.

Dated this 3 day of March, 2006.

Respectfully submitted,


Michael M. Ballard
Attorney for Applicants
Registration No. 54,978
Customer No. 022913
Telephone No. (801) 533-9800

MMB/lc
LC000002827V001

MAY 25 2006

PATENT APPLICATION

Docket No: 15584.11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

In re application of

Combe, et al.

Serial No.:

10/540,788

Art Unit

3764

Filed:

June 27, 2005

Confirmation No.:

Not yet known

For:

SINGLE PIECE OPTICAL MECHANICAL ASSEMBLY
FOR OPTICAL DATA STORAGE ENGINES

Examiner:

Unassigned

Mail Stop: MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN
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☒ The \$60.00 One-Month Extension of Time.

10/540,788

Page 2

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or to credit any overpayment to Deposit Account No. 23-3178.

☒ Any additional filing fees required under 37 C.F.R. § 1.16.

☒ Any patent application processing fees under 37 C.F.R. § 1.17.

The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-3178.

☒ Any filing fees under 37 C.F.R. § 1.16 for presentation of extra claims.

☒ Any patent application processing fees under 37 C.F.R. § 1.17.

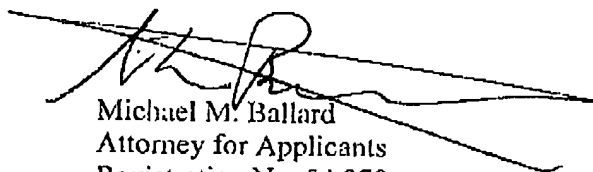
☐ The issue fee set in 37 C.F.R. § 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

☒ A duplicate copy of this letter is enclosed.

Please address all future correspondence in connection with this case to the attention of the undersigned.

Dated this 3 day of March, 2006.

Respectfully submitted,



Michael M. Ballard
Attorney for Applicants
Registration No. 54,978
Customer No. 022913
Telephone No. (801) 533-9800

MMB/lrc
LCL000002827V001

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MAY 25 2006

PATENT APPLICATION

Docket No: 15584.11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: application of

Combe, et al.

Serial No.:

10/540,788

Filed:

June 27, 2005

Confirmation No.:

Not yet known

For:

SINGLE PIECE OPTICAL MECHANICAL ASSEMBLY
FOR OPTICAL DATA STORAGE ENGINES

Examiner:

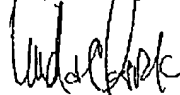
Unassigned

Art Unit
3764CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the following documents are being filed with the U.S. Patent and Trademark Office via facsimile to U.S. Patent and Trademark Office, facsimile number: (571) 273-8300 this 3rd day of March, 2006:

- Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (2 pgs.) (in duplicate)
- Declaration, Power of Attorney, and Petition (3 pgs.)
- Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (2 pgs.)
- Petition and Fee for One-Month Extension of Time (2 pages)
- Form PTO-2038 submitting Credit Card Payment in the amount of \$125.00 (Late Oath Surcharge \$65; One-Month Extension \$60)

Respectfully submitted,

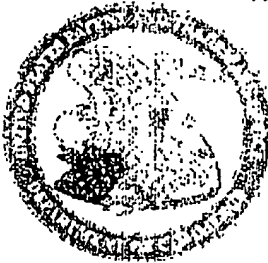


Linda Clark, Assistant to
Michael M. Ballard
Attorney for Applicants
Registration No. 54,978
Customer No. 022913
Telephone No. (801) 533-9800

MMB/lrc
1000000028270001

USPTO 3/3/2006 6:25 PM PAGE 1/001 Fax Server
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Total Pages:

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WORKMAN NYDEGGER									
3101 SOUTH 1100 WEST SUITE 200 SALT LAKE CITY, UT 84119 (801) 581-1707 FAX (801) 581-1707									
FAX COVER PAGE									
TO: DIRECTOR, PATENT AND TRADEMARK OFFICE MAIL ROOM 3									
FROM:	801 581 1707								
PAGES:	14 (including page)								
DATE:	3/3/2006								
RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS (37 CFR 1.54.2) IN THE UNITED STATES PATENT APPLICATION OF <u>OPTICAL STORAGE DEVICE</u> INVENTOR: [Name Redacted] SERIAL NO.: 10/49,788 FILING DATE: Aug. 27, 2003 TITLE: SINGLE PULSE OPTICAL ARCHIVAL ASSEMBLY FOR OPTICAL DATA STORAGE DEVICES APPLICANT: [Name Redacted] ATTORNEY: [Name Redacted]									
PRIVILEGED AND CONFIDENTIAL									
THIS DOCUMENT CONTAINS INFORMATION THAT IS UNLAWFULLY DISCLOSED OR OTHERWISE OBTAINED IN VIOLATION OF THE PATENT AND TRADEMARK OFFICE'S POLICY ON CONFIDENTIALITY. IT IS THE PROPERTY OF THE PATENT AND TRADEMARK OFFICE AND IS NOT TO BE DISTRIBUTED OR REPRODUCED WITHOUT THE EXPRESS WRITTEN PERMISSION OF THE PATENT AND TRADEMARK OFFICE. ANY UNAUTHORIZED DISCLOSURE OR REPRODUCTION OF THIS INFORMATION IS STRICTLY PROHIBITED. IF YOU ARE NOT THE ADDRESSEE OF THIS MESSAGE, PLEASE DO NOT REPLY TO THIS MESSAGE OR DISCLOSE ITS CONTENTS TO ANYONE.									
IF YOU ARE THE ADDRESSEE OF THIS MESSAGE, PLEASE CALL (801) 581-6206 AS SOON AS POSSIBLE.									
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TRANSACTION REPORT

P. 01

MAR-03-2006 FRI 04:25 PM

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MAR-03	04:24 PM	UNTIL	1'00"	1	RECEIVE	OK		